

## **2013 DRAFTING REQUEST**

### **Assembly Amendment (AA-AB369)**

Received: **1/8/2014** Received By: **rkite**  
Wanted: **As time permits** Same as LRB:  
For: **Jeffrey Mursau (608) 266-3780** By/Representing: **Tim Gary**  
May Contact: Drafter: **rkite**  
Subject: **Nat. Res. - boats snomos ATVs** Addl. Drafters:  
Extra Copies:

Submit via email: **YES**  
Requester's email: **Rep.Mursau@legis.wisconsin.gov**  
Carbon copy (CC) to:

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#### **Pre Topic:**

No specific pre topic given

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#### **Topic:**

Rule-making requirements and delaying the effective date

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#### **Instructions:**

See attached

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#### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rkite 1/13/2014			_____			
/P1	rkite 1/21/2014	jdyer 1/13/2014	jfrantze 1/13/2014	_____	mbarman 1/13/2014		
/1		jdyer 1/21/2014	jmurphy 1/21/2014	_____	lparisi 1/21/2014	lparisi 1/21/2014	

FE Sent For:

**<END>**

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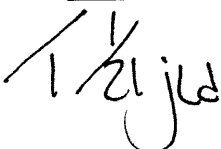

#### Topic:

Rule-making requirements and delaying the effective date

#### Instructions:

See attached

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/?	rkite 1/13/2014			_____			
/P1		jdye 1/13/2014	jfrantze 1/13/2014	_____	mbarman 1/13/2014		

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/?	rkite	P1 1/13 jld	jd	1/13			

FE Sent For:

&lt;END&gt;

**Kite, Robin**

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**From:** Kite, Robin  
**Sent:** Friday, January 10, 2014 11:27 AM  
**To:** Kite, Robin  
**Subject:** FW: AB 369

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**From:** Rep.Mursau  
**Sent:** Tuesday, January 07, 2014 2:45 PM  
**To:** Kite, Robin  
**Subject:** AB 369

Robin,

Please draft an amendment to AB 369 that would do the following:

- ✓ a) Provide DNR/NRB emergency rulemaking authority for the creation of an OHV trail funding program that mirrors the rulemaking authority that exists for ATV trail program
- ✓ b) Provide DNR/NRB regular rulemaking authority for the creation of an OHV trail funding program that mirrors the rulemaking authority that exists for ATV trail program
- ✓ c) Require DNR/NRB to implement the registration system effective January 1, 2015
- ✓ d) Delay the effective date for DNR to begin accepting grant applications until July 1, 2015
- ✓ e) Delay the effective date for DNR spending authority on trail grants until January 1, 2016

**Tim Gary**

*Office of Representative Jeff Mursau  
Wisconsin Assembly Committee on Environment and Forestry, Clerk*



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRBa1385/P1

RNK:.....

due Tues

jld

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

**ASSEMBLY AMENDMENT ,**

**TO ASSEMBLY BILL 369**

d-note

Fixed request  
sheet

1 At the locations indicated, amend the bill as follows:

2 1. Page 1, line 11: after "council," insert "providing an exemption from  
3 emergency rule procedures,".

4 2. Page 28, line 25: after that line insert:

5 "(c) The department may promulgate rules to implement and administer this  
6 subsection."

7 3. Page 30, line 2: after "(b)." insert "The department may award grants under  
8 this subsection beginning on January 1, 2016, and may accept grant applications  
9 under this subsection beginning on July 1, 2015."

10 4. Page 50, line 19: after "(1)" insert "INITIAL TERMS".

11 5. Page 50, line 24: after that line insert:

1           “(2) EMERGENCY RULES. Using the procedure under section 227.24 of the  
2 statutes, the department of natural resources may promulgate emergency rules  
3 implementing section 23.37 (8m) (b) of the statutes, as created by this act, for the  
4 period authorized under section 227.24 (1) (c) of the statutes, subject to extension  
5 under section 227.24 (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2)  
6 (b), and (3) of the statutes, the department is not required to provide evidence that  
7 promulgating rules under this subsection as emergency rules is necessary for the  
8 preservation of the public peace, health, safety, or welfare and is not required to  
9 provide a finding of emergency for a rule promulgated under this subsection.

10           **SECTION 53. Effective dates.** This act takes effect on January 1, 2015, except  
11 as follows:

12           (1) The treatment of sections 15.347 (9) and 23.37 (3) of the statutes and SECTION  
13 52 (1) of this act takes effect on the day after publication.”.

14           (END)

d-note  
↓

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

date

LRBa1385/7dn

RNK:.....

jld

I have drafted this amendment in preliminary form to facilitate any redrafting that you may be required. Please review the amendment closely to ensure that it meets your intent.

Robin N. Kite  
Senior Legislative Attorney  
Phone: (608) 266-7291  
E-mail: robin.kite@legis.wisconsin.gov

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBa1385/P1dn  
RNK:jld:jf

January 13, 2014

I have drafted this amendment in preliminary form to facilitate any redrafting that may be required. Please review the amendment closely to ensure that it meets your intent.

Robin N. Kite  
Senior Legislative Attorney  
Phone: (608) 266-7291  
E-mail: [robin.kite@legis.wisconsin.gov](mailto:robin.kite@legis.wisconsin.gov)



## **Kite, Robin**

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**From:** Kite, Robin  
**Sent:** Tuesday, January 21, 2014 10:56 AM  
**To:** Kite, Robin  
**Subject:** FW: AB 369

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**From:** Rep.Mursau  
**Sent:** Tuesday, January 21, 2014 10:22 AM  
**To:** Kite, Robin  
**Subject:** RE: AB 369

Please make this a redraft of a1385 into/1 form.

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**From:** Kite, Robin  
**Sent:** Tuesday, January 21, 2014 10:04 AM  
**To:** Rep.Mursau  
**Subject:** RE: AB 369

Just to clarify: are you asking for a redraft of LRBa1385 or are you asking for a new amendment that just makes the change below? And if you are asking for a redraft of LRBa1385, do you still want that amendment to be in preliminary form?

Robin

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**From:** Rep.Mursau  
**Sent:** Tuesday, January 21, 2014 9:41 AM  
**To:** Kite, Robin  
**Subject:** AB 369

Robin,

I need another simple amendment to AB 369 that changes the effective dates on page one lines 8 and 9 as: this subsection beginning on ~~January~~ July 1, 2016, and may accept grant applications under this subsection beginning on ~~July~~ January 1, 20156.”



5000  
State of Wisconsin  
2013 - 2014 LEGISLATURE



LRBa1385/PT

RNK:jld:jf

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

ASSEMBLY AMENDMENT ,

TO ASSEMBLY BILL 369

In  
1/21

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4 2. Page 28, line 25: after that line insert:

5 "(c) The department may promulgate rules to implement and administer this  
6 subsection.".

7 3. Page 30, line 2: after "(b)." insert "The department may award grants under

8 this subsection beginning on ~~January~~ <sup>July</sup> 1, 2016, and may accept grant applications

9 under this subsection beginning on ~~July~~ <sup>January</sup> 1, ~~2015~~ <sup>2016</sup>."

10 4. Page 50, line 19: after "(1)" insert "INITIAL TERMS.".

11 5. Page 50, line 24: after that line insert:

“(2) EMERGENCY RULES. Using the procedure under section 227.24 of the statutes, the department of natural resources may promulgate emergency rules implementing section 23.37 (8m) (b) of the statutes, as created by this act, for the period authorized under section 227.24 (1) (c) of the statutes, subject to extension under section 227.24 (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required to provide evidence that promulgating rules under this subsection as emergency rules is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

**SECTION 53. Effective dates.** This act takes effect on January 1, 2015, except as follows:

(1) The treatment of sections 15.347 (9) and 23.37 (3) of the statutes and SECTION 52 (1) of this act take effect on the day after publication.”.

**(END)**